

# CITY OF GROVE CITY, OHIO

## COUNCIL MINUTES

April 17, 2023

Regular Meeting

The regular meeting of Council was called to order by President Berry at 7:00 p.m. in the Council Chambers, City Hall – 4035 Broadway.

Roll was called and the following members were present:

*Roby Schottke      Mark Sigrist      Ted Berry      Randy Holt      Christine Houk*

1. Mr. Schottke moved to approve the Minutes from the previous regular and special meetings and approve as written; seconded by Ms. Houk.

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| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |
| Mr. Holt     | Yes |
| Ms. Houk     | Yes |

2. The Chair recognized Mayor Stage, who with the assistance of Chief Fambro, Former Chiefs Gabriel & Butsko, administered the Oath of Office to Eric Scott, as the City's next Police Chief.
3. The Chair read the agenda items and they were approved by unanimous consent.

**The Chair recognized Mr. Schottke, Chairman of Lands, for discussion and voting under said Committee.**

1. Ordinance C-11-23 (Approve a Special Use Permit for a Day Care for Daystarz Child Care LLC located at 5968 Hoover Road) was given its second reading and public hearing.

Mr. Rauch, Dir. of Dev. explained the changes from the previous plan including: moving the play area to the west; opening up eight more parking spaces; adding additional landscaping next to the condo's; adding a right turn only sign out of their site. *Mr. Berry* asked about the traffic table that was shared by EMH&T. Mr. Rauch said that the table is based on the Institute of Traffic Engineers who track trends from around the Country. He said the table shows that with 75 children, the anticipated traffic would be 314 vehicles. Mr. Berry said that all the other uses shown would be permitted on this property and have higher traffic patterns. *Mr. Schottke* asked why day care centers need a special use permit. Mr. Rauch said in 2000, Council added this use to have a heightened review of the impacts of a day care – presumably for safety reasons.

Ms. Donyette Dunlap, applicant, shared that she is purchasing this building and would like to move her existing business from the Town Center to this location. She said they changed the playground to address any noise. She said children are on the playground twice per day. She said the State allows for 75 children, but with her experience, she has designed her classrooms to accommodate 52 children. She said they operate M – F, 6:00 am – 6:00 pm.; no weekends; no evening activities. *Mr. Schottke* asked about offering vouchers and the STAR Score. Ms. Dunlap explained that PFCC funding is available to subsidize the cost of childcare if requirements are met. As for the Star score, Jobs & Family Services have criteria based on the educational level provided to the children, and Stars are awarded. She has one star and is pending an award of three stars.

Ms. Houk thanked Ms. Dunlap for addressing all the concerns she had and those shared by the neighbors. She said what has been put together has gone above and beyond, and displays being a good neighbor.

Mr. Steve Mills, Condo Resident, voiced concern over traffic and the ingress/egress at the Hoover Road intersection. He said he is concerned with the safety of people in the condo complex if their access is used as a cut-through. He said there are three other day care centers close by and all have availability. He said they are trying to retrofit a bank and he doesn't feel this is the best use.

Mr. Jim Rhome, Condo Resident, voiced concern over no traffic study being done. He said he tried to count cars and in an hour, there were 1,112. He said it took 1.45 minute to turn on Hoover and feels if there are five cars trying to turn, they will turn around and come through their condo complex.

Ms. Bev Longmire, Condo Resident, voiced concern for the safety of their residents. She said they do not have sidewalks and the residents use the private streets for a plethora of activities. She said those that live there are aware of this activity and go very slow. She said there is already traffic that cuts through to avoid the traffic lights at Hoover and Quail Creek Blvd. She said she appreciates the work that has been done, but feels rerouting the traffic is not a solution for her community.

Ms. Michelle Shepherd, Condo Resident, addressed the issue of maintaining the private roads in the condo complex. She said they cannot afford to increase the HOA fees in order to maintain their roads. She said the right-turn-only sign doesn't solve the issue of getting out on Hoover Road. She said a fence is not going to control children's noise and living next to a daycare can be problematic for them.

Mr. Mike Ward, President of Condo HOA, said they have held two meetings and there is an overwhelming opinion that this is not a good location for a daycare. They feel it would be extremely disruptive traffic wise, safety wise and noise wise. He asked Council Members to vote no.

Mr. Larry Powell, Condo Resident, explained that he has a disabled son who uses the streets in his motorized wheelchair and he is terrified to think about other people coming through their neighborhood. This could be a life or death situation.

Mr. Schottke stated that he understands the condo's concerns, but they have private streets and could install a gate to prevent traffic. He and Mr. Berry impressed upon the fact that this is a commercially zoned property and far more aggressive uses could locate at this property without Council approval.

Mayor Stage said the City would get the Condo Association a bigger "private drive" sign and will have a traffic study done to see if a traffic light is warranted at this intersection.

Ms. Houk noted that as far as a surge in traffic, the doctor's office has similar issues at this intersection. She said she wants us to be honest with ourselves that this is an existing issue. She said there is now a sign up for "no thru traffic", and the Mayor has made additional commitments. Couple that with the fact that this is a dead property and is part of a private transaction to be brought back to life, with a neighbor who has heard the condo's concerns.

Mr. Sigrist said he observed the traffic coming from Kroger and the Doctor's office and said he found that traffic going into their neighborhood is coming from the offices.

There being no additional questions or comments, Mr. Schottke moved it be approved; seconded by Ms. Houk.

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| Mr. Berry    | Yes |
| Mr. Holt     | Yes |
| Ms. Houk     | Yes |
| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |

2. Resolution CR-18-23 (Approve the Preliminary Development Plan for a Two-Story Garage located at 3472 Grant Avenue) was given its reading and public hearing.

Mr. Smith, Dir. of Law, explained that he had a conversation with Ms. Houk and has advised her to recuse herself from voting on this item.

Mr. Berry moved to excuse Ms. Houk; seconded by Mr. Schottke.

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| Mr. Holt     | Yes |
| Ms. Houk     | Yes |
| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |

Mr. Chris Zelich, petitioner, explained that the first goal is to bring the lots together. He said he wants to have a place to store equipment for the business next door. Mr. Schottke asked if the second floor was inhabitable. Mr. Zelich said the second floor is for storage. If they want to do something residentially, they will follow the city rules. *Mayor Stage* asked if this will be on the footprint of the existing garage. Mr. Zelich said no. It will be much larger. He said once they bring all the lots together, they can avoid all the variances with the PUD-C zoning he is looking to get.

Ms. Nancy Pennell, Grant Ave., said this will take their residential neighborhood and turn it into a commercial development. She said she has checked the definition of garage and this structure is not a garage, it is a warehouse. She said it is twice the size of her home. They have a charming little neighborhood with little traffic and kids at play. She said their alley will be an industrial service road. It will not be the same neighborhood any of them bought houses to live in, if this is approved. She said this is not a garage. This will get a foot in the door to change the whole area. She said this is not in keeping with the neighborhood and it will lose its charm. It is not appropriate.

Mr. Berry asked Mr. Rauch, Dir. of Dev., if the goal is to merge the three lots together to grow his business. Mr. Rauch said the property owner has the right to combine his lots into one. He has requested a PUD-C zoning for commercial, not industrial. This preliminary plan is the first step in a concept that looks at the overall use of the area in a more comprehensive manner. He said this area is potentially in transition, with the possible change to parcels to the north, owned by Beulah Park.

There being no additional questions or comments, Mr. Schottke moved it be approved; seconded by Mr. Sigrist.

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| Mr. Schottke | Yes |
| Mr. Sigrist  | No  |
| Mr. Berry    | No  |
| Mr. Holt     | Yes |

3. Resolution CR-19-23 (Approve a Certificate of Appropriateness for Exterior Modifications to 3586 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Mr. Steve Gagliari, representing petitioner, was present to answer any questions. Mr. Schottke reviewed the two stipulations and Mr. Gagliari agreed to them. Mr. Schottke stated that a business of this type seems to use lighting around the windows, which is not desirable. Mr. Gagliari said he doesn't know about that item for this property.

Mr. Schottke moved to amend Section 1 to add the following: *Tenants shall not be permitted to outline the windows with lights or use internal lighting to further enhance/advertise their business;* seconded by Mr. Sigrist.

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| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |
| Mr. Holt     | No  |
| Ms. Houk     | No  |
| Mr. Schottke | Yes |

There being no additional questions or comments, Mr. Sigrist moved it be approved as amended; seconded by Mr. Holt.

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| Mr. Berry    | No  |
| Mr. Holt     | Yes |
| Ms. Houk     | Yes |
| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |

4. Resolution CR-20-23 (Set Forth, as required by Section 709.023 of the Ohio Revised Code, the municipal services that can be furnished to 0.918 acres located at 3972 Orders Road upon its annexation to the City) was given its reading and public hearing and Mr. Schottke moved it be approved; seconded by Ms. Houk.

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| Mr. Holt     | Yes |
| Ms. Houk     | Yes |
| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |

Ms. Waugh, attorney for petitioner, was present and Mayor Stage commented that this property is in need of some attention, as it will not meet City standards upon annexation. Ms. Waugh said they are aware and have a list.

**The Chair recognized Ms. Houk, Chairman of Service, for discussion and voting under said Committee.**

1. Ordinance C-12-23 (Accept a Public Easement for a Shared Use Path from First Baptist Church of Grove City) was given its second reading and public hearing.

Ms. Houk explained that this is a key piece to get connectivity to and from the YMCA.

There being no additional questions or comments, Ms. Houk moved it be approved; seconded by Mr. Sigrist.

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| Ms. Houk     | Yes |
| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |
| Mr. Holt     | Yes |

2. Ordinance C-17-23 (Authorizing the Appropriation of Property and Easements from multiple properties for the public purpose of making, repairing, and improving the Demorest Corridor Improvement Project and declare an emergency) was given its first reading. Second reading and public hearing will be held on May 01, 2023.
3. Resolution CR-21-23 (Intent to Appropriate Property and Easements for the White Road Corridor Reconstruction and related improvements for the public purpose of making or repairing a public road to be open at no charge) was given its reading and public hearing.

Mr. Smith, Dir. of Law, explained that this project is to improve White Road with curbing, gutters, bike path, etc. He said letters will be sent to property owners to attempt to acquire right-of-way and a little more private property for the road improvements. He said this one is a bit complicated due to a question of whether right-of-way is in place or not.

Ms. Dietra Sherwin, White Rd., voiced concern over the safety and widening of White Road. She said it is already very close to her home and strongly objects that this is a necessity. She invited them to come to her house and see for themselves. She said there is no bike or foot traffic in this area. She said what is a necessity is the need to reduce the speed limit.

Mr. Smith said the road is currently in the Township. Once the road is in the City, the intent is to lower the speed. In addition, adding curb and gutter will assist with safety concerns.

There being no additional questions or comments, Ms. Houk moved it be approved; seconded by Mr. Sigrist.

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| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |
| Mr. Holt     | Yes |
| Ms. Houk     | Yes |

4. Resolution CR-22-23 (Intent to Appropriate Property and Easements for the Holton Road Corridor Reconstruction and related improvements for the public purpose of making or repairing a public road to be open to the public at no charge) was given its reading and public hearing.

Mr. Smith stated that with the funding Council just approved to begin the Holton Road improvements, this is the first step in acquiring the right-of-way needed for this project.

There being no additional questions or comments, Ms. Houk moved it be approved; seconded by Mr. Berry.

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| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |
| Mr. Holt     | Yes |
| Ms. Houk     | Yes |
| Mr. Schottke | Yes |

5. Resolution CR-23-23 (Authorize participation in the Ohio Department of Transportation Contract for Road Salt) was given its reading and public hearing.

Ms. Cindi Fitzpatrick, Dir. of Service, stated that this is the annual resolution to allow the City to participate in Ohio Department of Transportation's power to purchase road salt.

There being no additional questions or comments, Ms. Houk moved it be approved; seconded by Mr. Berry.

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| Mr. Berry    | Yes |
| Mr. Holt     | Yes |
| Ms. Houk     | Yes |
| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |

**The Chair recognized Mr. Holt, Chairman of Finance, for discussion and voting under said Committee.**

1. Ordinance C-14-23 (Appropriate \$479,300.00 from the Local Fiscal Recovery Fund for the Current Expense of Engineering Services for the Columbus Street Wet Weather Sanitary Relief Sewer and Storm Relief Sewer) was given its second reading and public hearing.

Ms. Fitzpatrick stated that this was the major recommendation that came out of the West Water Run Storm Master Plan in 2021. This would fund the detailed design for this project and the City also received Ohio Public Works Commission funding for the construction of this relief sewer. The design would take place in 2023 and constructed in 2024. She said the line would go along Columbus Street, from Dudley to Hoover Rd. and upsize the sewer along that corridor.

There being no additional questions or comments, Mr. Holt moved it be approved; seconded by Mr. Sigrist.

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| Mr. Holt     | Yes |
| Ms. Houk     | Yes |
| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |

4. Ordinance C-15-23 (Authorize the City Administrator to enter into a Memorandum of Understanding amending the current Agreement with the Fraternal Order of Police/Ohio Labor Council, Inc., Police Dispatchers) was given its second reading and public hearing.

Mr. Brian Weaver commented that he wonders if Dispatcher are leaving because of pay or because of the cultural atmosphere. He feels there is misconduct happening at the police division business that is causing the turnover in Dispatchers.

Mr. Smith, Dir. of Law, said that there is no misconduct occurring or investigations taking place. He said they have looked into the allegations by Mr. Weaver over and over again and they have no merit.

There being no additional questions or comments, Mr. Holt moved it be approved; seconded by Mr. Schottke.

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|--------------|-----|
| Ms. Houk     | Yes |
| Mr. Schottke | Yes |
| Mr. Sigrist  | Yes |
| Mr. Berry    | Yes |
| Mr. Holt     | Yes |

**The Chair asked that any new business to be brought before the attention of Council be done so at this time.**

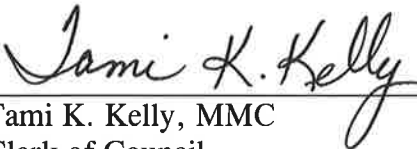
1. Mr. Greg Gattermiller, Rensch Rd. resident, voiced opposition to the Data Center proposal on Rensch Road and brought a letter from Pleasant Township which he read concerning the annexation of the property on the south side of Rensch Rd. It states that they share the resident's concerns and oppose that annexation and expansion. He said when you do the research on Data Centers, noise is the top complaint. He asked what laws exist in the city about noise leaving a property. *Mr. Smith* said we do not have a decibel law for noise. There is a standard noise ordinance. He explained that any time you have a subdivision near a use that is not residential, there is going to be some type of conflict. The law will look at if the disturbance is reasonable or not. He said there are many issues that the City will take into account if this project moves forward. Mr. Gattermiller said the 2050 Plan shows a road coming south and it goes right through some homes. Mr. Smith said that Plan is a guide. If there is a north/south connector road, it would be engineered, taking into account any existing structures.
2. Mr. Brian Weaver shared a cybersecurity case that was resolved by the Ohio Attorney General on Feb. 22, 2023 and that he has been waiting on that case. That is why he has been speaking about it for over a year. He shared his view on several issues within the City and said investigations should be done and not swept under the rug.

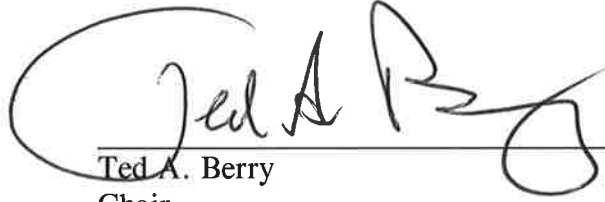
Mr. Smith stated that the City investigates all allegations and takes appropriate action. He said Mr. Weaver has sent over 1,000 e-mails to people in the City and they have been responded to. The requests keep asking for the same items, some of which do not exist, and public records have been provided.

**The Chair recognized members of Administration and Council for closing comments.**

1. Mayor Stage announced that Ecofest is this Saturday. He thank Council for approving the Electric Aggregation contract and thanked Mr. Berry for bringing the issue forward; and shared that April is 911 Month.
2. After closing comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Adjourned at 9:06 p.m.

  
Tami K. Kelly, MMC  
Clerk of Council

  
Ted A. Berry  
Chair

CITY OF GROVE CITY, OHIO  
COUNCIL CAUCUS NOTES

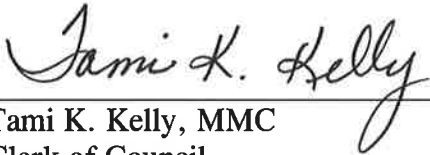
April 17, 2023

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Council met at 6:30 p.m. in the Council Chambers, City Hall, 4035 Broadway.

Council Members reviewed the Agenda items.

Council retired to the Chambers to begin the Regular meeting.



Tami K. Kelly, MMC  
Clerk of Council



Ted A. Berry  
President